

Minutes

Ordinary Meeting of Council

Corryong Council Office

Tuesday 2 September 2014

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE TOWONG SHIRE
COUNCIL, CORYYONG OFFICE ON TUESDAY 2 SEPTEMBER 2014 COMMENCING AT
10.00 AM.**

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1 Opening Prayer

"Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen."

2 Councillor and Officer presence at the meeting

Present: Crs Fraser OAM, Gadd, Wortmann and Scales.

In Attendance:	Title:
J Phelps	Chief Executive Officer
J Heritage	Director Technical Services
J Shannon	Director Community and Corporate Services
F Matthews	Governance and Communications Officer

3 Apologies and granting of leave of absence

Cr Joyce.

4 Declaration of pecuniary interest and/or conflict

For the purpose of this section, Councillors must disclose the nature of the conflict of interest in accordance with s79(2) of the Local Government Act.

Nil.

5 Confirmation of minutes

Ordinary meeting of 5 August 2014.

CR SCALES

CR WORTMANN

THAT THE MINUTES OF THE ORDINARY MEETING OF 5 AUGUST 2014, AS CIRCULATED, BE CONFIRMED.

CARRIED

6 Petitions, joint letters, declarations and notices of motion

Cr Scales has submitted the following Notice of Motion:

THAT TOWONG SHIRE COUNCIL CONTRIBUTE \$400 ANNUALLY FOR THE NEXT THREE YEARS TO TALLANGATTA SECONDARY COLLEGE FOR THE 'FIT2DRIVE' PROGRAM INCLUSIVE OF THE PROGRAM HELD ON 31 JULY 2014 AND ALSO WORK

IN CONJUNCTION WITH ROAD SAFE NORTH EAST AND NEIGHBOURING COUNCILS TO ENCOURAGE TRAINING AT LOCAL TRAINING PROVIDERS TO REDUCE COSTS.

Cr. Scales has prepared a report in relation to the notice of motion and this is included at item 10.2.

7 Assembly of Councillors

A written record of the Assemblies of Councillors from 16 July to 18 August 2014 is included at Appendix 1.

**CR GADD
CR SCALES**

THAT:

- 1. THE RECORD OF THE COUNCILLOR WORKSHOP HELD ON 5 AUGUST 2014 BE AMENDED TO REFLECT THAT CR GADD WAS IN ATTENDANCE;
AND**
- 2. THE INFORMATION BE NOTED.**

CARRIED

8 Open Forum

NAME	TOPIC
Mr P Coysh	Corryong grandstand Corryong streetscape
Mr N Clydsdale	Corryong grandstand
Ms J Boardman Co-ordinator Man from Snowy River Bush Festival	Corryong grandstand
Ms M Hill Corryong Recreation Reserve Committee of Management	Corryong grandstand
Mr J Murphy	Corryong grandstand
Mr C Sheather Corryong Recreation Reserve Committee of Management	Corryong grandstand
Mr L Lebner	Corryong grandstand

Mr A McLean	Towong Planning Scheme tree clearing/fencing requirements Stock grids and road maintenance Nariel Road tree pruning
Mr P Sullivan	Nariel Road name change
Ms P McKimmie	Stock grids policy
Mr J McVean	Stock grids policy
Mr M McKimmie	Stock grids policy
Mrs L Jephcott	Corryong Visitor Information Centre accreditation status
Mr N Sharp	Disposal of Council assets (plant and equipment) Parish Lane tree pruning
Ms K Paton	Service club signs on entry into Corryong
Mr J Murphy	VicRoads sign - Tumbarumba to Towong distance incorrect

**CR GADD
CR WORTMANN**

THAT ITEM 13.2 PERTAINING TO THE CORRYONG GRANDSTAND BE BROUGHT FORWARD FOR DISCUSSION.

CARRIED

13.2 Corryong Grandstand building – Application for Permit to Demolish 2014/031 (124500 – MP/CEO)

Property: Corryong Recreation Reserve
Applicant: Corryong Recreation Reserve Committee of Management
Owner: Crown Land under the control of the Department of Environment and Primary Industries (DEPI)
Consent to both the application and demolition of the Grandstand has been obtained by the applicant from DEPI Manager Property Services and Public Land.
Zoning: Public Park and Recreation Zone (PPRZ)
Overlays: Heritage Overlay (HO 33)

Disclosure of Interests (S.80C):

This report was prepared by Mr Ron Mildren of Living Streets Designs P/L.

At the time of preparation of the report the author of the report did not have a direct or indirect interest in any matter to which the report or advice relates.

Permit Triggers:

Clause 43.01-1 of the Heritage Overlay *inter alia* provides that a permit is required to demolish or remove a building.

Clause 36.02-2 specifies that a permit is not required under the PPRZ for:

"A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978."

The proposed demolition is to be carried out by or on behalf of a Committee of Management established under the Crown Lands (Reserves) Act 1978 who are the public land managers. Therefore there is no trigger for a permit under the zone provisions.

Consequently the only matters of relevance in deciding this application are those matters drawn under and associated with the Heritage Overlay.

DESCRIPTION OF PROPOSAL

The application proposes demolition of the condemned Grandstand at the Corryong Recreation Reserve.

SITE AND GRANDSTAND BUILDING

The Grandstand site is located within the Corryong Recreation Reserve to the north west of the oval approximately 25m from the fence around the oval.

Although listed as HO33 in the Towong Planning Scheme the Grandstand Building is not listed on Heritage Victoria or the National Heritage registers.

The Grandstand building has been substantially modified over many years from the original building with the use of non-original materials to replace some components. Oregon timber has been used to replace stairs and there is some evidence that the oregon replacement material is at or nearing a safety hazard consequent of deterioration.

The external cladding is presently largely corrugated iron of varying states of repair and deterioration.

The Structural Condition Report prepared by Belvoir Consulting (refer Appendix 7) has identified numerous risks, hazards and points of deterioration to the extent that two recommendation options have been made, one for demolition and one for restoration and ongoing maintenance. The restoration and ongoing maintenance

option brings with it a necessity to raise substantial funds both for the restoration and then recurrent for maintenance.

The history of the building as described in the Towong Heritage Study is one of recurrent maintenance funding issues with the building having been subject to closure by the Health Department in 1944, put under threat of demolition circa 1952 and again in the early 1970's. The evidence suggests that over each period recurrent maintenance has not been funded and that urgent minimum funding to make the building safe has been found but not at sufficient levels to maintain the heritage integrity of the building nor indeed the longer term sustainability of the building.

In any event, Belvoir Consulting determined that the building in its current state is entirely unsafe and access should be prohibited. There are a number of key building elements that have been assessed as being either missing or in high distress mode which required immediate action (October 2011). Further to those items the fundamental building elements of lateral bracing, tie down and connection adequacy are missing and these need to be implemented as part of the major upgrade or remediation. The fundamental footings and lower ground timber members are in many places shown to be in serious decay or are affected by termites and in that context restoration would need to essentially be from the ground up.

In practical terms, an assessment of all the information provided including the structural condition report and the many photographs as well as a site visit, the evidence suggests that for restoration to occur the building would effectively need largely to be reconstructed. This would include new footings and replacement of many of the timber components at or near ground level and potentially replacement of some other timber members that have twisted and dislodged under distress. It seems from the structural condition report that some twisting of the building has occurred and integral bracing has been dislodged or indeed appears to be missing. In these circumstances restoration effectively becomes a reconstruction in order to provide a building that is firstly safe, secondly fit for purpose and thirdly true to the heritage values. If the reconstruction is not going to be true to the heritage values then a sound argument exists for demolition and construction of a modern multi-purpose facility to meet the needs of all user groups.

Although in a very serious state of deterioration, the building still has timber and potentially some fixings that will be readily usable or adaptable for use on other similar structures from the period such as the Towong Racecourse Grandstand. In the event of demolition and given that the same builder built both the Corryong Recreation Reserve and the Towong Racecourse Grandstands and noting the very similar design and construction, it would be logical and most probably economically sensible to salvage components for use in maintaining the Towong Racecourse Grandstand.

HISTORY OF THE APPLICATION AND COMMUNITY CONSULTATION

The application was lodged on 26 June 2014. A S52 public notice was given widely to adjoining and adjacent land holders, by placement of a sign on the Grandstand building and a notice was placed in the Corryong Courier on 10 July 2014.

Additionally a news article was published on the front page of the Corryong Courier on 3 July 2014.

S52 notice was also sent to the Department of Environment and Primary Industries (DEPI) being the department responsible for Crown Land Reserves. A response from DEPI was received on 1 July 2014.

S55 REFERRALS

Clause 66.02-5 refers to land in Special Water Supply Catchments and *inter alia* provides that an application to demolish a building or works that are within a Special Water Supply Catchment Area must be referred to the relevant water board or relevant water supply authority. In this case the land is within a Special Water Supply Catchment and the relevant authority is Goulburn Murray Water (GMW).

Towong Shire Council has an agreement with GMW in reference to referrals and the application for demolition of the Corryong Recreation Reserve Grandstand is exempt from the need for referral under that agreement being outside the designated area and within a 'low risk' area.

RESPONSES

DEPI offered no objection to the proposed demolition.

Public notice was sent directly to adjoining neighbours on 27 June 2014. A total of six objections have been received.

SUMMARY OF GROUNDS OF OBJECTIONS

- Alleged overwhelming support to retain the building;
- Fond memories of the building;
- Call on Council to seek restoration funding;
- Arts Upper Murray Group has a history of restoring old buildings with organised volunteers;
- The building is a unique timber structure;
- The building is an important part of local history;
- There is a lack of local appreciation of the iconic structure;
- The engineers' assessment and cost estimates should not be accepted in isolation - should get further engineers reports;
- Urge further investigation into alternative action and restoration;
- The building has significant heritage value; and
- There has not been a full public process in considering the proposal.

ASSESSMENT AND COMMENT IN RESPONSE TO OBJECTING SUBMISSIONS

Several objectors raised the issue of large numbers of the community being in support of retention and restoration of the grandstand building. However the process of consideration of the options by the applicant Management Committee has been in train since at least 2011 and at least one community meeting was held seeking community support. Despite interest shown by community members, practical or more importantly fund raising support has not been obtained. This would indicate perhaps an element of sentimental support but not extending to active engagement or financial contribution at the levels necessary to leverage government grant funds sufficient to undertake restoration nor to deal with the then recurrent maintenance.

There is no dispute that many people have many fond memories associated with the grandstand building. However these do not take away the state of disrepair of the building or provide the substantial funds necessary to restore the building.

Council is not responsible for management of the Recreation Reserve or the grandstand building and, in terms of funding, has no responsibility to contribute Council resources to the management, maintenance or development of the Recreation Reserve. However Council support for external funding of projects on the Recreation Reserve will be one component required in achieving government grants. In terms of strategic planning in this regard, Council would ordinarily be obliged to weigh up a number of competing interests in setting grant funding application priorities and in light of the priorities established in the Corryong Recreation Reserve Masterplan it would be difficult to argue the grandstand should be supported/funded ahead of the masterplan priorities.

It is not a reasonable planning consideration as to the history of any community group in restoring old buildings in the past. Furthermore any restoration of the grandstand will be a very considerable project requiring substantial funds and very skilled tradespeople with access to specialised equipment rather than volunteers.

The reference to the building being a unique structure may be a valid consideration, if it were correct, in respect to determination of the heritage value of the building with all other things such as the state of repair of the building being equal. However in structural terms the building is not all that unique with another very similar grandstand built by the same builder at the Towong Racecourse. There are also a number of other similar structures in other places around Victoria and Southern New South Wales.

There is no question that the grandstand building has been an important part of Corryong history and this is evidenced by the inclusion at a local level in the Towong Planning Scheme Heritage Overlay. It has not however achieved heritage value

recognition at a level greater than locally to Corryong and has consequentially not obtained either State or National heritage registration. In the context of the matter at hand there is a question of weighing up the heritage value versus the state of disrepair of the building along with its current level of heritage integrity and the realistic prospect of the building being restored consistent with its heritage integrity.

Reference to the grandstand building being an 'iconic structure' is a rather strong statement that is not supported by the evidence. The building has only been able to get local heritage value recognition and it is a similar building to the Towong Racecourse grandstand. Therefore the building cannot realistically be regarded as iconic and that may explain the objecting submission acknowledgement as to why there is a lack of local appreciation of the iconic structure.

The assertion that the structural condition report and cost estimates should not be accepted in isolation and that further engineers' reports should be obtained is missing the point that irrespective of what degree of variation might be obtained from any number of engineers, the building is in a dangerous state of repair, is not true to its heritage value due largely to inconsistent and sometimes ad hoc repairs and will be very costly to reconstruct to its original form. Furthermore it casts credibility and competence aspersions on the firm that completed the assessment. There is no evidence to suggest that the engineers' report is anything but a true reflection of the circumstances and conditions at the time. Indeed there is good reason to expect that since no works to maintain the building have been undertaken since then, the building most probably has deteriorated further.

In the objecting submission urging that further investigation be undertaken in respect to other options it suggests that there has been insufficient evaluation undertaken by the Committee of Management and that there is insufficient information submitted with this application to Council for a planning permit. The information available to Council includes a detailed structural condition report, the availability of the Towong Shire Heritage Study reference to the grandstand building, the evidence in respect to the heritage integrity of the building and the estimated 2011 cost of restoration which is to make the building fit for service but not necessarily restored to heritage value integrity. DEPI have provided consent to demolition which in the circumstances can only be assumed to have been obtained after adequate consultation with the Department.

The objector's claim that the building has significant heritage value is relative. As described in this response the heritage value is at a local Corryong level and the building is one of two similar structures in the area. Furthermore the Towong Heritage Study identified the community and cultural life association with the building as being the significant heritage value rather than the actual physical

building. Therefore the use of the word significant may be regarded as excessive in the circumstances.

The objecting submission reference to there not having been a full public process in considering the proposal is entirely incorrect. In Council's determination of this matter the Planning and Environment Act 1987 in association with the Towong Planning Scheme specifies the public consultation requirement minimums. In this case Council has applied the maximum opportunity through written notice to people resident in proximity of the site, a notice on the building and a notice in the Corryong Courier. In addition an article was published on the front page of the Courier.

Further to that, and although not a requirement in respect to the application for a planning permit, it is understood that the Committee of Management has undertaken at least one public meeting and public availability of the structural condition report. There is wide public knowledge of the application for a planning permit having been lodged. Six objections have been received.

TOWONG PLANNING SCHEME REQUIREMENTS

SPPF

Clause 15.03-1 refers to heritage conservation and establishes the objective:

"To ensure the conservation of places of heritage significance."

Clause 15.03-1 also establishes strategies to:

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.*
- *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.*
- *Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings whose use has become redundant.*

LPPF

Clause 21.04-6 refers to heritage and generally provides that:

- *The cultural heritage of the Shire is evident in buildings, archaeological sites, trees and other significant places that have scientific, aesthetic, architectural, cultural, historical or social significance.*
- *The Towong Shire Heritage Study has identified significant cultural heritage places.*

Clause 21.04-6 also establishes objectives to:

- *Identify, conserve and enhance heritage places of natural or cultural significance, including pre-settlement heritage.*
- *Conserve and enhance those elements which contribute to the significance of heritage places.*
- *Ensure that development does not adversely affect the significance of heritage places.*
- *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.*

Clause 21.04-6 provides a Strategic Action:

- *To implement the recommendations of the Towong Shire Heritage Study.*

ZONE PROVISIONS

Public Park and Recreation Zone

The subject land is within the Public Park and Recreation Zone. However there are no triggers under the Zone to establish a requirement for a permit.

OVERLAY

Heritage Overlay HO33

The subject building and a 10m area around the building is covered by Clause 43.01 which refers to the Heritage Overlay. The site is referred to on the Map and in the Schedule to the Overlay as HO33.

The Purpose of the Heritage Overlay is established as:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*

- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

Clause 43.01-4 establishes decision guidelines in reference to the Heritage Overlay and provides that before deciding on the application Council must consider *inter alia* the following listed matters:

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance, heritage study and any applicable conservation policy.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*

COMMENT AND DISCUSSION

The Towong Planning Scheme was amended on 14 November 2013 with amendment C28 which introduced the Heritage Overlay on the Corryong Recreation Reserve along with eighty-seven other included heritage listings as recommended by the Towong Heritage Study completed in July 2010. It has taken more than four (4) years to bring the Heritage Study recommendations into the Towong Planning Scheme and importantly the structural condition report of 2011 has undertaken a more detailed structural assessment of the building since and beyond the scope of the report by the heritage advisors.

The Corryong Recreation Reserve Grandstand listing in the Towong Heritage Study establishes that the Grandstand is of historic, social and aesthetic significance to the Towong Shire. It is of historical significance as an early 20th century sporting structure built by a local carpenter who also built the Towong Racecourse Grandstand. The Recreation Reserve Grandstand was built for the Corryong Agricultural and Pastoral Society which was established in 1890. The building represents the scale of facilities required during an early phase in the development of Corryong.

The Towong Heritage Study describes the Grandstand as being of social significance for its association with and use by the Corryong Agricultural and Pastoral Society as well as other community groups.

The Towong Heritage Study describes the Grandstand as being of aesthetic significance as an example of a sporting facility and one of the more substantial early structures in Corryong. The Study also makes reference that at the time of reporting the Corryong Grandstand was less modified than the similar Towong Grandstand.

Despite this the report continues to itemise considerable modification to the building.

The thematic context expressing the heritage value as described in the Heritage Study is 'Community and Cultural Life' rather than architectural values of the building, with the sub-theme being associations.

In deciding this application for a planning permit Council has a number of matters to take into account.

In context Council must weigh up effectively two options of retention or demolition taking into consideration the implications of each option.

A decision to refuse to permit the demolition brings with it an expectation that the building is of sufficient heritage importance that it should not be removed and that it will be restored or at the very least made safe for the various potential user purposes. This is not a guarantee that the heritage values will be retained but it does imply Council material support for restoration at least to the minimum required for recommencement of use of the building.

On the other hand, a decision to grant a permit for demolition does not necessarily imply that there is diminished heritage value but rather (for example) that a pragmatic decision was necessary given the state of the building and that alternative measures of observing the historical values are available.

PLANNING ASSESSMENT

SPPF

Clause 15.03-1 of the SPPF establishes the objective to ensure the conservation of places of heritage significance.

There are two salient factors in this objective being:

- a. Identification of the subject as being a place of heritage significance; and
- b. To ensure conservation of places of heritage significance.

These may be further broken down by acknowledging that there are degrees of heritage significance and that there are a number of ways of conserving the history of a place as may be influenced by the place and indeed the reason as to why it is recognised.

For example a heritage place may be identified for Community and Cultural Life rather than the architecture of the building. In that case, although the building has some significance the fundamental reason for identification of the place as having heritage value or significance is what the building facilitated rather than the building itself.

In regard to ensuring conservation of the place of heritage significance, in the context of the above example, the physical presence of the building may not be important but the recording of its presence and place in history may be important and may be what is required in meeting the obligation of ensuring conservation of the heritage place. This might be achieved by a thorough recording of the building and its place in history on a suitable permanent alternative structure or memorial.

Council has generally been compliant with the Clause 15.03-1 strategies in that a Towong Heritage Study has been done and relevant recommendations have been implemented into the Towong Planning Scheme. In terms of providing for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value, Council's resources and abilities are limited. This is particularly so where Council is not the owner or responsible manager of the heritage place. Where heritage places fall into distressed states of repair, in meeting the obligations and responsibilities under the SPPF Council may only be in a position to record and appropriately store the record of the heritage place.

LPPF

Clause 21.04-6 of the LPPF recognises that Towong Shire has a mix of types of heritage places and generally provides that:

- The cultural heritage of the Shire is evident in buildings, archaeological sites, trees and other significant places that have scientific, aesthetic, architectural, cultural, historical or social significance; and
- The Towong Shire Heritage Study has identified significant cultural heritage places.

Clause 21.04-6 sets objectives to:

- Identify, conserve and enhance heritage places of natural or cultural significance, including pre-settlement heritage.
- Conserve and enhance those elements which contribute to the significance of heritage places.
- Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.

These objectives leave the way open for various options to be applied in achieving the outcomes. As discussed previously in this report there are several ways, dependent upon the reason for identification of a heritage place and the circumstances surrounding, available to conserve the heritage place.

HERITAGE OVERLAY

The salient stated purposes of the Heritage Overlay are:

- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*

In the context of this matter the heritage place is identified for its community and cultural significance. The Community and Cultural significance of the Grandstand as a heritage place, as established and reported in the Towong Heritage Study, is the use to which the building was put and the social interaction of the various associations and user groups rather than the architecture of the building. In these circumstances it is not considered essential that the physical building be retained but the importance is to record the building and the community and cultural values derived from the associations and user groups over the history.

The building has a secondary significance as a representation of the scale of facilities required in a more general sense during the early phase of development of Corryong.

HERITAGE OVERLAY DECISION GUIDELINES

Clause 43.01-4 establishes decision guidelines in reference to the Heritage Overlay and provides that before deciding on the application Council must consider *inter alia* the following listed matters:

- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance, heritage study and any applicable conservation policy.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*

It has been established in interpreting the Towong Heritage Study that the significance of the grandstand is not the architecture of the building but is more the community and cultural representation of the building.

In determining whether the proposal to demolish the grandstand building will adversely affect the cultural significance of the place, it may be argued that the historical significance is not the building itself but is the human interactions and associations that were forged out of the existence of the building and that those relationships are of the past and can be conserved and remembered by means other than retention of the grandstand building.

In terms of the building, the Towong Heritage Study makes some recommendations with respect to restoration of the building however these recommendations are from

a generally single perspective within an ideal situation and do not evaluate the consequences or resources required to achieve them.

The big question in this matter is whether the demolition will adversely affect the significance of the heritage place. If a case is advanced, based on the Towong Heritage Study statement, that the building in itself is not the significant heritage matter but the activities and associations that were facilitated in history by the building in its locational context are the significant heritage value, then, subject to proper recording of the physical structure and its place within the Recreation Reserve, it could be argued that the demolition will have no material or substantive adverse effect on the significance of the heritage place. The building in its physical presence or architectural configuration is not the reason for the place being identified as a heritage place.

On the other hand it might be argued that it is the physical building and its presence over time that is pivotal in generating the identification of the place as a heritage place, in which case the demolition would adversely affect the significance of the heritage place.

This component of the decision making process is one aspect to be weighted in a wider more comprehensive assessment and indeed should not be allowed to stall the decision making process.

CLAUSE 65 DECISION GUIDELINES

Clause 65.01 Approval of an application or plan:

Before deciding on an application or approval of a plan, the responsible authority must consider *inter alia*:

- *The matters set out in S60 of the Act.*

This report considers the Towong Planning Scheme as it applies to the proposal.

The demolition proposal will not have a material effect upon the fair, orderly, economic and sustainable use, and development of land.

The demolition proposal will contribute positively to securing a pleasant, efficient and safe working, living and recreational environment for all users of the Corryong Recreation Reserve as the building is presently in a very unsafe condition.

The proposed demolition will not conserve or enhance the grandstand building however as considered previously in this report the building may not be the salient heritage consideration.

The proposed demolition will have little effect on protection of public utilities other than perhaps improving safety in respect to electricity services still connected to the

grandstand building and which will be disconnected and relocated should the building be demolished. In regard to other assets it may be argued that demolition of the condemned building will create a potential for redevelopment of the site and immediate surrounds with a more modern and better suited building.

In regard to balancing the present and future interests of all Victorians, the decision in this matter will potentially impact irrespective as to the choice made between demolition and retention as both options will influence future use and development of the recreation reserve and the allocation of resources.

This report has considered all objections and other submissions which have been received and which have not been withdrawn.

There are a number of potential locally significant social effects and economic effects which may result from the proposal and indeed the decision in this matter. A decision to retain the grandstand will result in the need to raise substantial funds to restore or at least repair the building and necessarily a large part of these funds will need to be drawn from the community. This will, in a small community, put a drain on available community donations and other local funding sources and divert their application from other projects.

On the other hand if the building is demolished there will be little if any social effect as the building is not usable however there will be some people who will have a sense of loss with the building's demise.

In regard to any other relevant matters, it may be argued that the demolition of the Grandstand will likely generate momentum for a new multi-purpose facility to serve the Recreation Reserve user groups.

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

Matters associated with the SPPF, LPPF, MSS and local policies have been addressed previously in this report.

- *The purpose of the zone, overlay or other provision.*

The purpose of the zone, overlay and other relevant provisions of the Towong Planning Scheme have been addressed previously in this report.

- *The orderly planning of the area.*

There are some matters that should be considered in respect to the orderly planning of the area. If the building is to be retained then it becomes a consideration as to how it may be made safe and/or restored. Within the weighting considerations of the various other relevant provisions of the planning scheme, the likely effects of

retaining the building on the medium and longer term use and or development of the specific area and the wider Recreation Reserve should be considered.

If the building were to be retained and funding of adequate amount to restore the building to its heritage integrity was not secured then apart from the prospect of the building collapsing there is a danger that children or other people might seek to enter the building and be injured.

The only reason upon which a decision can be made in this matter to retain the building is if the heritage value is so significant that the building should be kept. In that context then, the building would need to be restored to its original state and appropriate funding will be required to be secured to that effect. If the building cannot or indeed is simply unlikely to be restored to its original state then the reason for its retention in terms of heritage considerations, which are the determinant factors in this application for planning permit, is significantly weakened or indeed lost.

If the site remains encumbered by a building not fit for purpose then that area remains outside any future development opportunities which would not be consistent with good orderly planning and use of the Recreation Reserve. Furthermore the retention of an encumbered site may adversely direct other development of the Recreation Reserve to sites that are less suited, perhaps leading to a less than efficient and practical use and development of the Recreation Reserve. This also would constitute poor and disorderly planning.

- *The effect on the amenity of the area.*

The retention of a building that is condemned without genuine prospect for restoration would have and is having an adverse impact upon the general amenity of that part of the Recreation Reserve.

- *The proximity of the land to any public land.*

The subject land is public land and there is a responsibility on public land managers to balance the management of the public land in an appropriately weighted manner in the interests of all users and the general public. The evidence submitted in the application suggests that the grandstand building is beyond its realistic and realisable use and is effectively blighting the Recreation Reserve and placing limitations on the use of an area reasonably central to many of the other common user areas. It is limiting the prospect for future multi-user facilities development in the area where such facility ought to be located.

CONCLUSION:

This matter is about an application for a planning permit for the demolition of a building being the grandstand at the Corryong Recreation Reserve. Council is limited in its consideration to those matters that are validly able to be considered as

provided in the Towong Planning Scheme and under relevant Planning legislation and regulations.

The only permit requirement trigger under the Towong Planning Scheme is found at Clause 43.01-1 in relation to the Heritage Overlay. The substantive basis upon which the grandstand and its immediate environs are included under the Heritage Overlay is found in the Towong Shire Heritage Study July 2010.

The Heritage Study was undertaken without the benefit of the structural condition report of 2011 in respect to the structural integrity of the grandstand building.

The structural condition report highlighted structural issues, including distortion and distress of the building consequent of deterioration of structural members, deterioration of footings, missing bracing and other missing structural and non-structural timber and fixings. The report recommended immediate closure and cessation of use of the building and barricading of the building from public access which has been done.

If the building requires works to an extent that it is an effective reconstruction then current building regulations will apply and the original heritage integrity of the structure will be diminished or lost. The itemised identifiable replacement requirements from the structural condition report include at ground items including stumps/footings and bottom wall plates. In all probability replacement of these items will involve significant demolition in order for replacement to be able to be done. When this is viewed in combination with the requirement for replacement of other timbers in the body of the structure then a building approval is very likely to apply current standards and regulations. Indeed the structural condition report refers to some structural inadequacies of the original building that if works are to be undertaken will need to be compliant with current regulations.

Six objecting submissions have been received in response to the public notice of the application for planning permit. In general the objecting submissions have largely offered emotional responses rather than raising issues associated with planning grounds or have referred to matters associated to planning grounds but have not included substantiation.

There are a number of steps for Council to decide this application.

In the first instance a decision or interpretation needs to be made as to what exactly is referred to in the Heritage Study and therefore applies under the heritage listing in the Planning Scheme regarding the significance of the heritage place. The documentation places emphasis on the Community and Cultural Life revolving around and associated with the building and only somewhat of a secondary

reference to the building being of aesthetic significance as an example (probably meaning amongst other examples) of a sporting facility and an early structure built in Corryong. The building in itself is not identified as being of architectural significance.

In this context then Council may determine that the heritage significance associated with the building is in its Community and Cultural Life experienced over the history of the premises rather than the building itself. In this case Council may conclude that an appropriate permanent recording of the building and its history may meet the requirements of the Towong Planning Scheme and in particular the Heritage Overlay provisions.

If Council interprets the heritage statement and the heritage overlay provisions in a manner that determines that the physical structure is the significant heritage place then under the planning scheme there is an obligation to determine to conserve the building.

A decision that conservation of the building is necessary brings requirements for retention of the building and, in the very least, given the state of disrepair of the building, a requirement to restore the building to the heritage integrity level and not just made safe to use. The building cannot indefinitely be left in its current state. Indeed there is an identified matter of electricity connection and service that should be dealt with as a matter of some urgency.

A further complexity in this matter is that although Council is the responsible authority for determining the application for planning permit and all the matters for decision under that process, Council is not the land manager responsible for the building and in that context cannot make day to day operational decisions about the building nor is Council responsible for funding or indeed grant applications in respect to the building. That is not to say that Council does not have a role in setting State Government Grant priorities for Towong Shire and that Council could not support a grant application by the Committee of Management. These however are peripheral complexities to Council's role as the responsible authority in respect to the application to demolish the building by the Recreation Reserve Committee of Management including DEPI support.

In terms of this form of grandstand building the Corryong area is somewhat privileged in that it has two similar buildings constructed by the same builder within a similar historical timeframe. Some might say that ideally both should be kept and maintained. However the fact is that the Corryong Recreation Reserve grandstand is in a state of disrepair, has been condemned and barricaded off from any use.

Although not entirely relevant to the application for planning permit but of some relevance in Council's Planning Authority role with respect to heritage places,

Council may be being presented with an opportunity to better support the longer term sustainability of the Towong Racecourse Grandstand which also has a heritage listing in the Towong Planning Scheme. Many of the timbers, fittings and fixings comprised in the Corryong Recreation Reserve Grandstand may be similar or adaptable to use in maintaining the Towong Grandstand. If such materials were to be made available and used at Towong then the heritage integrity of the Towong Grandstand may be better and more cost efficiently achieved over the longer term.

This may be a suitable compromise outcome given the state of the Corryong Recreation Reserve grandstand.

A further consideration is the likely continued pressure over time for demolition of the Recreation Reserve grandstand consequent of a number of influences including (but not limited to) the likely high ongoing maintenance costs, the location of the building in a prime redevelopment position and the fact that the building is not suited to the modern user requirements and, in keeping the heritage integrity, is not particularly well suited to multi-purpose outcomes.

The evidence and information available presently suggests that there is insufficient will or perhaps resources in the local community to raise the local contribution for seeking State Government Grant funds of adequate amount to restore the building to the required heritage integrity level. Furthermore current information suggests that achievement of a government grant of sufficient amount for restoration will be highly unlikely.

Funding issues in themselves are not front and foremost matters for consideration in determining the application for planning permit however where the planning decision may be in balance then issues of prospect for restoration are considered relevant, particularly when the building is in a condemned state.

On the balance of information presented in the application and after consideration of the relevant matters under the Towong Planning Scheme and associated provisions it is suggested that a permit should be granted for demolition of the Grandstand at the Corryong Recreation Reserve.

There is good evidence to suggest that the Recreation Reserve Committee of Management has been diligent in its consideration of matters relevant to its decision making responsibilities and this is supported by the letter from DEPI.

The structural condition report is very clear in its assessment of the structure and the two options and their consequences are clear.

In terms of cost benefit assessment and the realistic prospect of securing adequate restoration funding, decision making weighting clearly falls to the side of demolition. In terms of future development and creation of a multi-purpose facility rather than to seek those funds equivalent for heritage restoration, realistically the decision making weighting falls to the side of demolition.

In terms of the Towong Planning Scheme Heritage provisions affecting the grandstand, if the structure was in a reasonable state of repair and held a higher level of heritage structural integrity, then the building may be conserved as a representation of the Community and Cultural Life in history generally in accord with the Towong Planning Scheme and the Towong Heritage Study. However the building is in a state of disrepair, is condemned and totally unusable and inaccessible. In this situation the heritage provisions and Towong Heritage Study provides an opportunity for alternative interpretation and application of the provisions such that the heritage values of Community and Cultural Life are recorded and retained by means other than retention of the example building. To this end it is suggested that as a condition of permit to demolish, a full architectural and historical record be required to be compiled and an interpretative facility containing the record be established appropriately in proximity of the building site. This may be a stand-alone marker or may be incorporated into a new facility that may be constructed in proximity to the site.

CR GADD

CR WORTMANN

THAT COUNCIL HAVING CAUSED NOTICE OF PLANNING APPLICATION NO. 2014/031 TO BE GIVEN UNDER SECTION 52 OF THE *PLANNING AND ENVIRONMENT ACT 1987* AND HAVING CONSIDERED ALL THE MATTERS REQUIRED UNDER SECTION 60 OF THE *PLANNING AND ENVIRONMENT ACT 1987* DECIDES TO GRANT A PLANNING PERMIT PURSUANT TO SECTION 64 OF THE *PLANNING AND ENVIRONMENT ACT* WITH RESPECT TO THE LAND KNOWN AND DESCRIBED AS CA 1, SECTION 22, PARISH OF TOWONG BEING THE CORYONG RECREATION RESERVE, STRZELECKI WAY, CORYONG FOR DEMOLITION OF THE GRANDSTAND BUILDING SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. PRIOR TO COMMENCEMENT OF ANY WORKS ASSOCIATED WITH THE DEMOLITION AN APPROPRIATELY QUALIFIED AND EXPERIENCED HERITAGE ARCHITECT MUST BE ENGAGED TO FULLY RECORD THE GRANDSTAND BUILDING STRUCTURE AND COMPONENTS AND TO DOCUMENT THE HISTORICAL CONTEXT OF THE GRANDSTAND IN THE COMMUNITY AND CULTURAL LIFE OF CORYONG TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

- 2. ONCE COMPLETED THE RECORD OF THE GRANDSTAND BUILDING STRUCTURE AND COMPONENTS AND DOCUMENTED HISTORICAL CONTEXT OF THE GRANDSTAND IN THE COMMUNITY AND CULTURAL LIFE OF CORYONG MUST BE RETAINED BY THE CORYONG RECREATION RESERVE COMMITTEE OF MANAGEMENT AND DISPLAYED AS APPROPRIATE AS A PERMANENT INTERPRETATIVE FACILITY IN APPROPRIATE PROXIMITY TO THE BUILDING SITE. THIS MAY BE A STAND-ALONE MARKER OR MAY BE INCORPORATED INTO A NEW FACILITY THAT MAY BE CONSTRUCTED IN PROXIMITY TO THE SITE.**
- 3. THE DEMOLITION OF THE GRANDSTAND BUILDING MUST BE UNDERTAKEN IN A MANNER THAT ENABLES SALVAGE AND REUSE OF ALL REUSABLE COMPONENT MATERIALS.**
- 4. COMPONENT MATERIALS OF THE GRANDSTAND BUILDING INCLUDING TIMBER AND FIXINGS MUST IN GOOD FAITH BE MADE AVAILABLE FOR FIRST RIGHT OF REFUSAL TO THE COMMITTEE RESPONSIBLE FOR MANAGEMENT OF THE TOWONG RACECOURSE GRANDSTAND TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 5. THE PRESENT ELECTRICITY CONNECTION TO THE GRANDSTAND BUILDING MUST BE DISCONNECTED WITHOUT DELAY AND A SUITABLE ALTERNATIVE ELECTRICITY SERVICE MUST BE PROVIDED FOR USERS OF THE CURRENT EXTERNAL SERVICE POINTS ASSOCIATED WITH THE GRANDSTAND TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 6. THE DEMOLITION MUST BE CONDUCTED IN A REASONABLE TIMEFRAME AND THE SITE MUST BE BARRICADED TO ENSURE SEPARATION FROM PUBLIC USERS OF THE RECREATION RESERVE AND THE DEMOLITION SITE TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 7. THE SITE MUST BE ENTIRELY CLEARED OF ALL MATERIALS INCLUDING NON-SALVAGEABLE TIMBER AND CORRUGATED IRON AND OTHER WASTE AND MUST BE LEFT IN A LEVELLED USABLE STATE BY USERS OF THE RECREATION RESERVE TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 8. SALVAGED CRUSHED CONCRETE MUST EITHER BE USED IN LEVELLING THE SITE OR ALTERNATIVELY STOCKPILED AWAY FROM THE ORDINARILY TRAFFICABLE AREAS OF USE BY USERS OF THE RECREATION RESERVE TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

CARRIED

9 Urgent business

Nil.

10 Organisational improvement

10.1 Finance Report as at 31 July 2014 (DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Ms Jo Shannon, Director Community and Corporate Services.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

OPERATING RESULT

	Note	Jul-14 (Actual) \$'000	Jul-14 (Budget) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	YTD (Variance) %
Income	1	1,453	TBC	1,453	TBC	-	0%
Expenditure	2	725	TBC	725	TBC	-	0%
Surplus		728		728		-	0%

Table 1: Operating Result

Note 1:

Council has received \$1.4 million in income for the month of July 2014. This primarily relates to the \$1.0 million that has been received from the Country Roads and Bridges funding program.

Note 2:

Expenditure for the July 2014 totals \$0.7 million. This expenditure is across a broad range of programs delivering objectives contained within the Council Plan.

The adopted Budget 2014/15 provides for \$15.1 million of recurrent expenditure for the full year. This expenditure is being reviewed to identify when Council expects to incur this expenditure. This will be updated for the August 2014 financial report.

Grant Income

	Note	Jul-14 (Actual)	YTD (Actual)	YTD (Budget)	12 Month (Budget)
		\$'000	\$'000	\$'000	\$'000
Recurring		52	52	TBC	4,062
Non-Competitive	1	1,003	1,003	TBC	2,205
Competitive		39	39	TBC	2,107
Total	2	1,094	1,094	-	8,374

Table 2: Grant Income

Note 1:

Council received \$1,000,000 from the Country Roads and Bridges funding program in July 2014.

Note 2:

The adopted Budget 2014/15 provides for \$8,374,749 of grant funding to be received. The grants are currently being reviewed to identify when Council expects to receive the payments. This will be updated for the August 2014 financial report.

Grants received Year-to-Date (YTD) are shown in the following table:

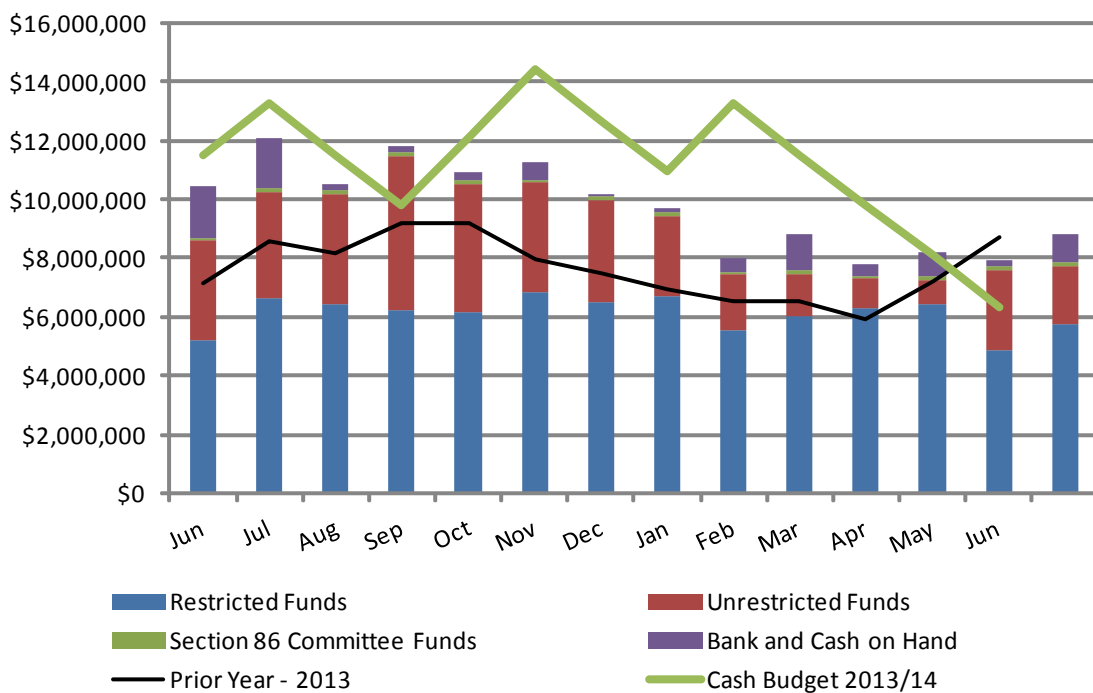
	\$'000
Country Roads and Bridges	1,000
L2P Program	23
Corryong Pre School	20
Tallangatta Pre School	12
Maternal and Child Health	11
Berringa Pre School	10
Tallangatta Neighbourhood House	9
Freeza Funding	6
Community Access	3
Comm Health & Wellbeing	1
Total Grants Received	1,094

CASH POSITION

Cash on Hand

The cash position moved during the month as detailed below:

	Current Month	Prior Month	Variance	
	Jul-14	Jun-14	\$	%
	\$	\$	\$	%
Unexpended Grants	4,772,273	3,868,860	903,413	23.4%
Provisions and reserves	1,008,000	965,429	42,571	4.4%
Restricted Funds	5,780,273	4,834,289	945,984	19.6%
Unrestricted Funds	1,934,288	2,726,112	(791,824)	-29.0%
Section 86 Committee Funds	135,751	135,751	-	0.0%
Total Investments	7,850,313	7,696,153	154,160	2.0%
Bank and Cash on Hand	960,656	231,350	729,306	315.2%
Total Cash	8,810,969	7,927,503	883,466	11.1%
Average Interest Rate	0.00%	3.48%		



Restricted Funds

	\$'000
Unexpended Grants	
Tallangatta Integrated Community Centre	1,433
Country Roads and Bridges	1,342
LG Infrastructure Projects	1,179
Magorra Park (DSE)	182
Local Gov Business Collaboration (A Maclean)	62
Tallangatta Neighbourhood House	62
Upper Murray 2030 Vision	59
Community Access	54
Flood Recovery (Community projects)	51
Municipal Emergency Response Program	50
Children Services Review	45
Towong Racecourse (DSE)	45
Our Valley Our Future	45
Flood Recovery Officer (T Hall)	44
Weed Project	36
L2P Program	23
Improving Liveability of Older People	19
The Narrows Project	13
Bushfire Management Overlay	13
Freeza Funding	11
Caravan Park Masterplan	3
Fire Access Track Maintenance	2
Total Unexpended Grants	4,772
Provisions and Reserves	
Long Service Leave	808
Landfill Rehabilitation	200
Total Provisions and Reserves	1,008
Total Restricted Funds	5,780

Investments

Investments were made up of the following at the month end:

Date	Product	Institution	Principal	Yield	Term	Rating	Maturity
17/06/2014	Term Deposit	CommInvest (CBA)	1,000,000	3.50%	90 Days	A1+	17/09/2014
22/07/2014	Term Deposit	NAB	2,000,000	3.58%	180 Days	A1+	20/01/2015
11/06/2014	Term Deposit	Bank of Queensland	1,000,000	3.50%	92 Days	A2	11/09/2014
13/06/2014	Term Deposit	Wide Bay Australia Ltd	500,000	3.60%	91 Days	A2	12/09/2014
26/03/2014	Term Deposit	WAW	800,668	3.55%	90 Days		26/09/2014
N/A	Online Saver	ANZ	2,259,733	2.25%	On Call	AA-	N/A
N/A	S86 Committees	Various	135,588	4.68%	N/A		N/A
Total Investments			6,695,989				

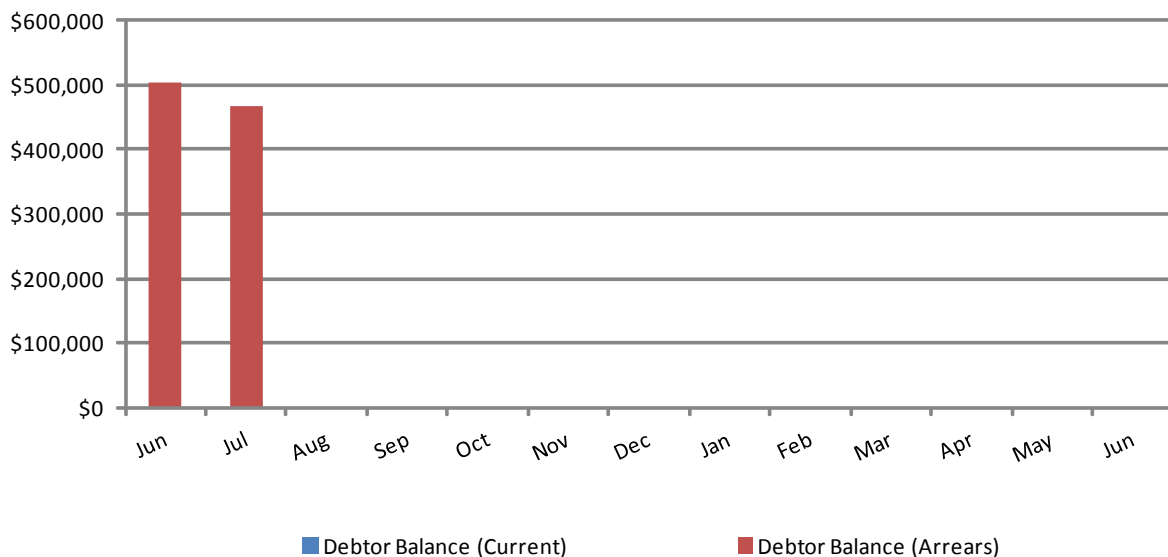
Table 4: Investments at month end

RECEIVABLES

Rates, Municipal Charge, Waste Management Charge and Waste Collection Charge

The breakdown of rates received for the current month and year-to-date is shown in the following table and graph:

Rates, charges and FSPL Debtors	Amount \$	Received	% Collected	Received	Collected	Balance Outstanding \$
		Jul-14 \$	Jul-14 %	YTD \$	YTD \$	
Levied 2014/15	-	-	0.0%	-	0.0%	-
Arrears prior to 2014/15	502,975	36,434	7.2%	36,434	7.2%	466,541
Total Charges		36,434		36,434		466,541

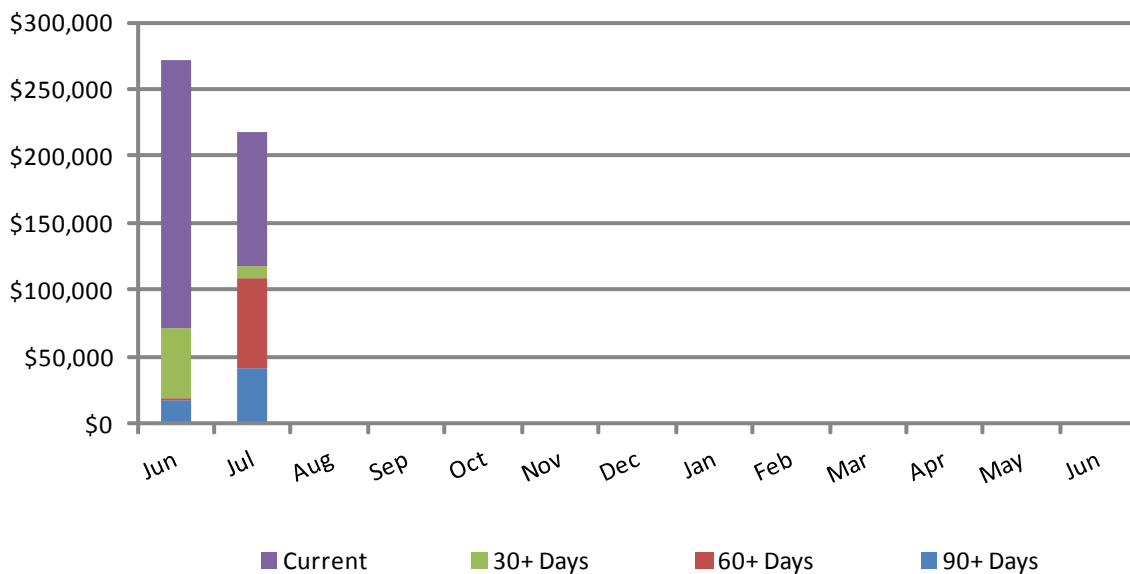


Rates and charges for 2014/15 will be levied in September 2014.

Sundry Debtors

The Sundry Debtors outstanding at month end and the movement from the prior month is shown below:

Sundry Debtors	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
July 2014	100,886	8,297	67,238	42,094	218,515
June 2014	199,778	52,376	1,679	17,795	271,628
Movement	(98,892)	(44,079)	65,559	24,299	(53,113)



Significant debtors (> \$1,000) with ageing of greater than 90 days are as follows:

Debtor	Amount	Description	RO	Notes
Debtor 18925	\$3,500	Community Group Loan	JS	The long term binding payment agreement has not yet been signed but making payments within terms. Paying \$500 per annum. \$500 received June 2014.
Debtor 17007	\$2,950	Infringement Notice	JS	Debt undergoing review.
Debtor 19755	\$1,548	50% Cost Recovery for weed control	JS	Debt undergoing review.

Table 6: Significant debtors > 90 days

LOCAL ROADS

Local Roads and Bridges Capital Works

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
402 Survey and Design		161	-	161	50,000
410 Road Construction		2,115	-	2,115	1,176,883
416 Sealing		15,516	-	15,516	25,000
417 Resealing		-	-	-	675,000
420 Drainage Construction		536	-	536	30,000
421 Digouts		-	-	-	350,000
422 Resheeting		3,314	-	3,314	230,000
432 Footpaths		860	-	860	30,000
433 Kerb and Channel		253	-	253	166,504
450 Bridge Construction		4,615	-	4,615	1,054,926
Total		27,370	-	27,370	3,788,313

Table 7: Local Roads & Bridges – Capital Works (YTD)

The adopted Budget 2014/15 provides for \$3,788,313 of Capital Works to be completed on Local Roads and Bridges. The timing of this works program is being finalised and will be updated for the August 2014 financial report.

Local Roads and Bridges Maintenance

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
301 Inspections		105	-	105	-
302 Survey and Design		19	-	19	5,000
304 Pavement Maintenance		4,976	-	4,976	150,000
306 Grading		15,479	-	15,479	460,000
308 Shoulder Maintenance		1,376	-	1,376	100,000
310 Drainage Maintenance		9,850	-	9,850	170,000
312 Call Outs		-	-	-	20,000
324 General Roadside Maintenance		8,727	-	8,727	75,000
328 Tree Maintenance		4,508	-	4,508	85,604
330 F/Path Maintenance		-	-	-	8,000
331 K and C Maintenance		-	-	-	5,000
334 Roadside Treatments		-	-	-	15,000
336 Signs Maintenance		707	-	707	12,000
338 Linemarking		-	-	-	10,000
340 Guideposts		1,430	-	1,430	7,000
342 Guardrail		-	-	-	5,000
346 Bridge Maintenance		241	-	241	28,584
Total		47,418	-	47,418	1,156,188

Table 8: Local Roads & Bridges - Maintenance (YTD)

The adopted Budget 2014/15 provides for \$1,156,188 of maintenance works to be completed on Local Roads and Bridges. The timing of this works program is being finalised and will be updated for the August 2014 financial report.

CR WORTMANN

CR GADD

THAT THE FINANCE REPORT BE NOTED.

CARRIED

10.2 Notice Of Motion (Cr Scales)

Contribution to the 'Fit2Drive' Program Tallangatta Secondary College (04/03/0013)

Disclosure of Interests (S.80C):

This report was prepared by Cr Aaron Scales.

At the time of preparation and presentation of the report I am an elected Board member and Treasurer of Road Safe North East. I do not have a direct or indirect interest in any matter to which the report or advice relates.

As Council's representative on the RoadSafe North East Board with Council's approval (by resolution) I do not have an Indirect Interest – Conflicting Duty.

Background/History:

Towong Shire Council has been a long-term member of Road Safe North East. I have been a member of Road Safe North East since elected to Council in 2012. With the exception of one meeting I have attended all meetings and have had an ongoing and increased role since accepting the Treasurer position in October 2013. I would like to draw attention to a Councillor report on Young Driver Safety which I presented at the ordinary Council meeting on 1 October 2013 on this very issue.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

\$400 per year over three (3) years.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Councillor's View:

Victoria has one of the lowest road tolls globally. Unfortunately however around one third of the road toll is young drivers, classified as 18 to 25, representing only around 14% of licensed drivers.

Communicating with youth is not easy, there are a number of ways to improve engagement. Programs need to have multiple components, must be ongoing not just one off lectures and must be followed up. Peer communication works the best as young people are more likely to identify with similar aged people.

Fear campaigns do not work for our youth, they have the 'Yeah Right' attitude or 'What a load of.....'

Fit2Drive is about developing a road safety culture within the school environment, to spread across numerous schools and the community. It concentrates on strategies for young people to understand and develop strategies to reduce risk taking, and concentrates on personal safety and responsibility.

Fit2Drive is delivered via peer education, i.e. younger adults run the workshop to increase the appeal and interaction of their peers.

Training for facilitators is carried out in Melbourne and therefore there is additional expense incurred when delivering this program in rural areas.

Tallangatta Secondary College was the first in the North East to take up the Fit2Drive program in 2013.

Interviews of Tallangatta Secondary College students were played at a forum I attended and there was an outstanding response from those interviewed.

I wish that these learning opportunities were available back in my younger years and I hope that the continuation of this program will further help our upcoming new drivers to NOT take risks and save lives.

There is currently a \$400 gap between funds committed by Road Safe North East, Tallangatta Rotary, Kiewa Lions and Dartmouth Progress Association and the cost to deliver the program.

**CR SCALES
CR WORTMANN**

THAT TOWONG SHIRE COUNCIL CONTRIBUTE \$400 ANNUALLY FOR THE NEXT THREE YEARS TO TALLANGATTA SECONDARY COLLEGE FOR THE 'FIT2DRIVE' PROGRAM INCLUSIVE OF THE PROGRAM HELD ON 31 JULY 2014 AND ALSO WORK IN CONJUNCTION WITH ROAD SAFE NORTH EAST AND NEIGHBOURING COUNCILS TO ENCOURAGE TRAINING AT LOCAL TRAINING PROVIDERS TO REDUCE COSTS.

CARRIED

10.3 Action Sheet Reports (06/05/0010-EA)

Items requiring action from the 5 August 2014 Council Meeting are attached at Appendix 2.

**CR GADD
CR SCALES**

THAT THE REPORT BE NOTED.

CARRIED

10.4 Performance Reporting Graphs (DCCS)

The Performance Reporting Graphs are attached at Appendix 3 for information.

**CR GADD
CR WORTMANN**

THAT THE REPORT BE NOTED.

CARRIED

10.5 Draft Domestic Animal Management Plan (01/04/0093-DTS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Jamie Heritage, Director Technical Services.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

Local Government has long been the level of government primarily responsible for domestic animal management.

Section 68A of the Domestic Animal Act 1994 requires all Victorian councils to prepare a Domestic Animal Management Plan at four yearly intervals. A copy of the Plan and any subsequent amendments must be provided to the Secretary of the Department of Primary Industries. Council is required to then report on the Plan's implementation in its annual report.

The primary aim of the Plan is to provide a strategic map to support the community towards the goal of responsible pet ownership and to assist Council in achieving a professional, consistent and proactive approach to domestic animal management practices.

The Plan identifies current activities and future actions to address the following areas, as required by Section 68A of the Act:

- Identify methods for evaluating animal control services;
- Promote responsible pet ownership;
- Ensure compliance with the Domestic Animals Act 1994 and Regulations;
- Minimise the risk of dog attacks;
- Address over population and euthanasia rates for dogs and cats;
- Encourage registration and identification of dogs and cats;
- Minimise the potential for nuisance;
- Identify dangerous, menacing and restricted breed dogs;
- Review all existing Council orders and local laws that relate to dogs and cats;
- Identify programs for training of authorised animal management officers; and
- Provide for the periodic evaluation of programs and service strategies.

Impact on Council Policy:

Towong Shire Council has the following Orders, Local Laws and Procedures currently in place to assist in the effective management of dogs, cats and livestock:

Council Orders

- Compulsory micro chipping of all new dogs and cats registered effective 10 April 2009;
- Cat curfew 9pm to 6am, seven days a week; and
- Dogs declared dangerous must not reside within Towong Shire Council's boundaries.

Local Law No. 2 – Part 6 Keeping of Animals

6.1 Restrictions on the Number of Animals that may be kept on any Premises

6.2 Conditions under which Animals are kept

6.3 Noise and Smell

6.4 Animal Litter

6.5 Wandering Animals

State Government Policy Impacts:

This Plan has been developed in accordance with Section 68A of the Domestic Animals Act 1994 and sets out a formalised approach to increase the awareness of domestic animal management practices within Towong Shire.

Budget Impact:

Council's existing budgets will accommodate the role as the Ranger already undertakes a large portion of the requirements included in this Plan.

Risk Assessment:

Council will meet the requirements of Section 68A of the Domestic Animal Act 1994 by:

1. Adopting the Domestic Animal Management Plan;
2. Reviewing the Plan at four yearly intervals;
3. Providing a copy to the Secretary of the Department of Primary Industries; and
4. Reporting on the Plan's implementation in Council's annual report.

Community Consultation/Responses:

The Draft adopted Plan is to be displayed on Council's website for public consultation and feedback for a period of three months. Any comments are to be considered before the plan is presented to Council for adoption.

Discussion/Officers View:

The primary focus of this Plan is the management of companion animals, namely dogs and cats. Towong Shire Council acknowledges the role it plays in promoting

responsible pet ownership and enforcing legislation. We are committed to balancing the needs of pet owners with those in our community who do not own pets.

Consideration has been given to both parties in the development of our Draft Domestic Animal Management Plan 2013-2017 as attached at Appendix 4.

This Plan has been developed in accordance with Section 68A of the Domestic Animals Act 1994 and sets out a formalised approach to increase the awareness of domestic animal management practices within Towong Shire.

Towong Shire Council recognises the value domestic pets contribute in making Towong Shire a vibrant and liveable Shire. Domestic pets are not only considered part of a family, but are an integral part of a wider community. Research demonstrates that pets contribute to building a strong sense of community and developing active social capital; vital to any vibrant, healthy community.

Pet ownership is positively associated with social interactions, community involvement and increased feelings of neighbourhood friendliness and sense of community.

With about 63% of Australians owning a dog or cat, these benefits, when aggregated across the whole community, are of significant interest to Council and others concerned with building healthier, happier neighbourhoods.

In addition, these benefits create a ripple effect that extends beyond pet owners into the broader community, with pets helping to smooth the way for social interaction and general 'out and aboutness'.

**CR SCALES
CR WORTMANN**

**THAT COUNCIL ADOPT THE DRAFT DOMESTIC ANIMAL MANAGEMENT PLAN
AND THE PLAN BE PLACED ON PUBLIC EXHIBITION FOR COMMENT AND
FEEDBACK.**

CARRIED

11 Community wellbeing

11.1 Community Services Report (04/07/0055- DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Ms Penelope Sell, Manager Community Services.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly report on Community Services activities throughout the Shire.

Kindergarten Services

Council has received \$75,000 funding from the Department of Education and Early Childhood Development (DEECD) to renovate the Berringa Kindergarten. The renovations will enable additional childcare services to operate from the centre. Plans are being developed to have these works completed for the start of the 2015 school year.

An application has been submitted to DEECD to seek funding for improvements to the Corryong Kindergarten. Council and the Corryong Parent Committee have each contributed \$25,000 towards the funding application to realise approximately \$130,000 in planned improvements and to create greater capacity for future enrolments. Proposed improvements include an upgrade of the bathroom areas, creation of an information technology hub and creative art space and new floor coverings. These improvements aim to support local children in their learning environment.

Children at Towong Shire Council kindergartens have enjoyed a number of informative sessions as part of the 2014 curriculum. These include:

- 'Reptiles Live Encounter Show';
- 'Healthy Eating' workshop (run in conjunction with local health services); and
- Harmony Day celebrations.

All kindergarten services have improved the information provided to parents on their child's progress through the introduction of biannual student reports and parent/teacher interviews.

Maternal and Child Health Services

Council's Maternal and Child Health (MCH) Service is an active participant in the Victorian Government's 'Key Ages and Stages' program. This program encourages families to attend regular MCH checkups at key stages of development. There has

been an improvement in attendance in all key stages, excepting the eight month old check. There has been particular improvement in attendance at the 3 ½ year check, with the latest report indicating a 99% participation rate.

New work benches have been installed at Corryong Maternal and Child Health Centre to create a safer working environment for children, mothers and staff.

Library Services

Council's mobile library service is currently delivered by the Riverina Library Service. The Riverina Library Service has recently advised Council that they will not be able to provide the service from 1 July 2015. A review is currently being undertaken of mobile library service options to enable Council to decide on future service provision.

In partnership with the Victorian State Library and through the 'High Road to Reading' program, Council hosted three Australian Author visits to our libraries: Shane Malony, Lauren Burns and Katherine Howell. The visits were very well received.

Recreation facilities

Funding applications have been submitted to Regional Development Victoria to seek funding for improvements to the Corryong Swimming Pool, Skate Park and Tennis Courts. The result of these applications is expected in September 2014.

Immunisation Services

Immunisation services are provided on behalf of Council by the City of Wodonga. The service contract expired on 30 June 2014. A six month interim service contract is currently being finalised to permit consultation to be undertaken on future service delivery levels.

0-8 Network

Council hosted a '0-8 Family Fun Day' in Corryong on 17 June 2014. This event specifically responded to the community's requests for support in the areas of women's health, healthy eating, depression and general wellbeing. Council is also facilitating a five week 'Positive Parenting' program for the Bellbridge, Corryong and Tallangatta communities through the latter part of 2014.

Youth Services

Council continues to work closely with the Corryong and Tallangatta Secondary Colleges and Corryong Neighborhood Centre (CNC) to deliver the annual Youth Activities Program. Recently school leaders participated in the Youth Leadership Program held in Tallangatta. Secondary school students studying english literature also participated in the High Road to Reading author visits.

Council also delivered a very well received 'National Youth Week' skate competition and graffiti event at the Corryong Skate Park during the month of May.

Children's Services Review

Council received a \$45,000 grant from the Department of Education and Early Childhood Development to conduct a Children's Services Review. A suitably qualified consultant will be appointed. The project will review and evaluate Council's service provision and capacity to deliver early childhood services in the future. A report will be provided to Council upon completion of the review.

Community Development Officer

Council received \$70,000 from the Department of Human Services to appoint a Community Services Development Officer. Ms Tanya Hall commenced in this role in August 2014 with the aim of re-establishing the Tallangatta Neighbourhood Centre.

Access and Inclusion Officer

Council recently re-advertised a six month contract position for an Access and Inclusion Officer. This role is a fully funded position by the Department of Human Services and aims to implement a range of initiatives to support people living in our community who experience a disability.

Impact on Council Policy:

The Community Services team is focused on delivering on the 2013-2017 Council Plan strategic objectives.

State Government Policy Impacts:

Activities align with key criteria of the following policies:

- Victorian Early Years Policy;
- Victorian Health Policy;
- Victorian Mental Health Policy;
- Victorian Sport and Recreation Policy; and
- Victorian Disability Act 2006.

Activities also support:

- The *Victorian Public Health and Wellbeing Plan 2011 – 2015*; and
- The Regional Growth Plan.

Budget Impact:

Nil

Risk Assessment:

Nil

Community Consultation/Responses:

The Community Services team engages with the community at every opportunity to ensure that Council efforts are focused on community priorities. Major funding

applications also demonstrate key community consultation as a requirement of funding guidelines.

Discussion/Officers View:

The Community Services team is making good progress in delivering outcomes that support the 2013-2017 Council Plan.

**CR GADD
CR SCALES**

THAT THE REPORT BE NOTED.

CARRIED

11.2 Healthy Eating Policy (07/01/0001 - DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Ms Tricia Hazeleger, Manager Community Health and Wellbeing.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

The *Towong Healthy Communities Plan (the Plan) 2013 – 2017* identified the attainment of health through increased physical activity rates and healthy eating choices (Objective 1.1.4) as a key action. Council plays a key role in the implementation of the Plan and is well placed to show leadership in supporting healthy eating practices in relation to kindergartens, Council catering, events and staff wellbeing. A draft policy has been developed for Council consideration and is attached at Appendix 5.

Impact on Council Policy:

Towong Shire Council is committed to the provision of a safe and healthy work environment for employees, Councillors, contractors, customers and visitors. In relation to Council's workforce, this policy applies to food and drink served at Council internal/external meetings, functions, community facilities and events such as Family Movie Nights, Seniors Week, Youth Week.

This policy includes food and drink provided to employees in staff rooms but does not formally apply to food brought in by employees (for birthdays, morning teas, etc). However, employees are encouraged to consider providing healthy options at these events and to avoid confectionery fundraisers in public places such as kitchens.

State Government Policy Impacts:

This policy contributes to the implementation of the *Upper Hume Primary Care Partnership, Integrated Health Promotion: Community Health and Wellbeing Plan 2012-2017 (Healthy Eating)*, including supporting Local Government initiatives that:

- Increase community awareness of and access to healthy foods;
- Promote understanding of the value of healthy foods; and
- Identify healthy eating as an action area in appropriate Local Government planning and policy documentation.

The Victorian Department of Health – Red, Amber, Green model is used in the *Healthy Choices: Healthy Eating Policy and Catering Guide for Workplaces (2013)* and this policy.

Budget Impact:

Nil. Existing catering budgets will accommodate healthy food catering requirements for meetings and events.

Risk Assessment:

A risk assessment has been undertaken. Key risks and mitigation strategies identified include:

Possible risk	Level of risk	Strategy to minimise risk	Who and when
Towong Shire Council staff do not increase healthy eating and catering	Medium Health behaviour patterns change slowly	Towong Alliance partners will provide healthy eating information and activities to encourage change	Towong Alliance Ongoing

Community Consultation/Responses:

Towong Alliance partners are supportive of this policy and are considering similar policies in their organisations.

Discussion/Officers View:

It is recommended that Council adopt the Healthy Eating Policy as presented at Appendix 5 to support healthy eating practices in Council workplaces and in Council activities.

**CR GADD
CR SCALES**

THAT THE HEALTHY EATING POLICY BE ADOPTED.

CARRIED

12 Asset management

12.1 Works Schedule (DTS)

The works scheduled for the period 19 July – 15 August 2014 is attached at Appendix 6 for information.

**CR WORTMANN
CR GADD**

THAT THE REPORT BE NOTED.

CARRIED

J Heritage left the Council Chamber at 12.05pm

J Heritage returned to the Council Chamber at 12.11pm

13 Land-use planning

13.1 Planning Application 2012/015.1 (203650 – CEO)

Proposal: Amend Planning Permit 2012/015 to enable meetings to be held after 7pm once a month, occasional meetings outside the approved hours with prior Council approval and the orderly storage of items within the yard area.

Property: Lot 2 on Plan 63042, 6 Sirl Street, Bethanga VIC 3691

Applicant: Peninsula Men's Shed

Owner: Towong Shire Council

Zoning: Public Use Zone – Schedule 6 Local Government

Overlays: Environmental Audit Overlay

Disclosure of Interests (S.80C):

This report was prepared by Ms Grace Foulds, Planning Officer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Permit Triggers:

A permit is required:

- For the use of the land for a place of assembly.

Clause 36.01 Table of Uses – the use falls into section 2 thus triggering the requirement for a permit.

DESCRIPTION OF PROPOSAL

The application proposes:

- Amend condition 6 of Planning Permit 2012/015; and
- Amend condition 8 of Planning Permit 2012/015.

The application seeks to amend Planning Permit 2012/015 to enable meetings to be held after 7pm once a month, occasional meetings outside the approved hours in approved Planning Permit 2012/015 with Council approval and the orderly storage of items within the yard area of Lot 2 Plan 63042

SITE DESCRIPTION

The site is located at the corner of Sirl and Lobban Streets, Bethanga and is the former Council Depot. The site slopes generally to Sirl Street and contains an old corrugated iron shed that is currently used by the Peninsula Men's Shed Group Inc. on a regular basis. The site is fenced by an approximately 1.8m chain wire fence and has an access point constructed from Sirl Street. There are no trees of significance on the site.

A soil test, done in 1988, revealed containments at levels greater than EPA guidelines. The contaminants are petroleum hydrocarbons in soil adjacent to the old fuel bowser, hence the application of an Environmental Audit Overlay which is activated only by sensitive use proposals. This is not a sensitive use proposal.

Land around the site is generally used for residential purposes and is within the Township Zone.

HISTORY AND COMMUNITY CONSULTATION:

The application was lodged on 1st July 2014.

REFERRALS

There were no referrals required.

PUBLIC NOTICE

Public notice was sent directly to adjoining neighbours on 9 July 2014. No objections have been received.

TOWONG PLANNING SCHEME REQUIREMENTS

State and Local Planning Policy Framework

Clause 19.02-3 – Cultural facilities

Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies

- Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres, at Principal and Major Activity Centres.
- Reinforce the existing major precincts for arts, sports and major events of Statewide appeal and establishing new facilities at locations well served by public transport.

Local Planning Policy Framework

There are no LPPF policies of specific reference or relevance to the proposed amendment.

ZONE PROVISIONS

Public Use Zone – 6 – Local Government (PUZ6)

Key purposes of the zone are:

- To implement the State Planning Policy Framework and the Local Planning Policy framework including the Municipal Strategic Statement and local planning policies.
- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

Clause 36.01-3 Application requirements provide that:

"An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made; or
- To the application for permit being made and to the proposed use or development.

In this case the public land manager is Towong Shire Council. As the Council is the Land Owner then s.96 of the Planning and Environment Act 1987 also applies.

Council has consented to the lodgement of the application.

Clause 67.01 Exemptions from Section 96(1) and 96(2) of the ACT:

In accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempt from Section 96(1) and 96(2) of the Act.

CLASS 1

Use of land for –

Car Park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbour house, place of assembly and toilet), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

The proposal is for a place of assembly use which is a Class 1 nominated exemption subject to the public notice requirement under Clause 67.02. Public notice was given in accord with clause 67.02.

Decision Guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

SPPF is covered previously in this report and there are no LPPF or MSS policies of specific reference or relevance to the proposal.

- *The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.*

The Council as the Public Land Manager has consented to the application being made and has consented to the Men's Shed Inc occupying the premises but does not have comment in respect to this proposal.

- *Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.*

There is no specific use, design or siting guidelines relevant to the proposal or subject land.

Clause 45.03 ENVIRONMENTAL AUDIT OVERLAY (EAO)

Although the subject land is affected by the Environmental Audit Overlay (EAO) the proposal does not include introduction of any sensitive use therefore the EAO provisions are not triggered by this application.

CONCLUSION:

This application is to amend conditions 6 and 8 of Planning Permit 2012/015 for the land being the former Council Depot at 6 Sirl Street, Bethanga (corner of Lobban Street).

This report addresses the relevant requirements of the SPPF, LPPF, MSS, the requirements of the Public Use Zone 6 – Local Government, Particular and General Provisions and the Decision Guidelines of Clause 65 of the Towong Planning Scheme.

There are no substantive reasons to limit the use of the building for management and the like meetings from being undertaken in the evenings.

The keeping of a minimum number of items such as air compressors or packs of timber in the yard in an orderly and neat manner is considered to be a reasonable use associated with the activities of the Men's Shed.

**CR WORTMANN
CR SCALES**

THAT COUNCIL HAVING CAUSED NOTICE OF THE APPLICATION TO AMEND PLANNING PERMIT NO. 2012/015.1 TO BE GIVEN UNDER SECTION 52 OF THE *PLANNING AND ENVIRONMENT ACT 1987* AND HAVING CONSIDERED ALL THE MATTERS REQUIRED UNDER SECTION 60 OF THE *PLANNING AND ENVIRONMENT ACT 1987* DECIDES TO GRANT AN AMENDMENT OF PLANNING PERMIT PURSUANT TO SECTION 74 OF THE PLANNING AND ENVIRONMENT ACT WITH RESPECT TO THE LAND KNOWN AND DESCRIBED AS LOT 2 LODGED PLAN 63042, BEING 6 SIRL STREET, BETHANGA FOR MEETINGS TO BE HELD AFTER 7PM ONCE A MONTH AND OCCASIONAL MEETINGS OUTSIDE THE APPROVED HOURS WITH PRIOR COUNCIL APPROVAL AND THE ORDERLY STORAGE OF ITEMS WITHIN THE YARD AREA ALL IN ACCORDANCE WITH THE FOLLOWING CONDITIONS AS AMENDED:

PLANS TO BE PROVIDED

- 1. PRIOR TO COMMENCEMENT OF THE USE, PLANS TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY MUST BE PREPARED AND SHOW:**
 - **THE LOCATION OF THE EXISTING WASTEWATER DISPOSAL SYSTEM;**
 - **CONTAMINATED AREAS; AND**
 - **AREAS OF PROPOSED CAR PARKING.**

PARKING

- 2. AN ALL-WEATHER VEHICLE PARKING AREA TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY MUST BE PROVIDED PRIOR TO THE COMMENCEMENT OF THE APPROVED USE.**

MEMORANDUM OF UNDERSTANDING

- 3. THE USE MUST BE CONDUCTED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE MEMORANDUM OF UNDERSTANDING AND THE USE MUST NOT COMMENCE UNTIL THE MEMORANDUM OF UNDERSTANDING HAS BEEN SIGNED BY ALL PARTIES.**

BUILDING UPGRADE

- 4. THE BUILDING MUST BE UPGRADED TO THE SATISFACTION OF COUNCIL'S BUILDING SURVEYOR PRIOR TO THE COMMENCEMENT OF USE.**

DRAINAGE

- 5. DRAINAGE WORKS MUST BE UNDERTAKEN TO DIVERT RUNOFF FROM LOBBAN ROAD DRAINAGE CATCHMENT ABOVE THE SUBJECT LAND FROM CROSSING THE SUBJECT LAND TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

AMENITY

- 6. THE SITE MUST BE MAINTAINED IN A NEAT AND TIDY CONDITION AT ALL TIMES AND MATERIALS AND/OR EQUIPMENT STORED IN THE YARD MUST BE KEPT TO A MINIMUM AND IN AN ORDERLY AND NEAT CONDITION AT ALL TIMES. REFUSE AND RUBBISH MUST BE PLACED IN APPROPRIATE RECEPTACLES AND REMOVED FROM THE SITE. APART FROM PLACEMENT IN A SKIP OR RUBBISH BIN ALL WASTE MUST BE RETAINED INSIDE THE BUILDING PENDING REMOVAL FROM THE SITE.**
- 7. THE AMENITY OF THE AREA MUST NOT BE DETRIMENTALLY AFFECTED BY THE USE APPROVED BY THE PERMIT, THROUGH THE:**
- TRANSPORT OF MATERIALS, GOODS OR COMMODITIES TO OR FROM THE LAND:**
 - APPEARANCE OF ANY BUILDING, WORKS OR MATERIALS; AND**
 - EMISSION OF NOISE, ARTIFICIAL LIGHT, SMELL FUMES OR WASTE PRODUCTS.**

HOURS OF USE

- 8. EXCEPT WITH THE PRIOR WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY, THE USE OF THE SUBJECT LAND MUST ONLY BE UNDERTAKEN IN ACCORDANCE WITH THE FOLLOWING HOURS:**
- 9AM TO 6.30PM MONDAY TO SATURDAY INCLUSIVE;**
 - 11AM TO 6.30PM ON SUNDAYS;**
 - THE USE OF THE LAND MUST NOT OCCUR ON PUBLIC HOLIDAYS; AND**
 - MANAGEMENT MEETINGS WHERE NO OTHER ACTIVITIES ARE UNDERTAKEN MAY BE HELD ONCE EACH MONTH ON ANY WEEKDAY AFTER 7:00PM BUT MUST NOT EXTEND LATER THAN 10:30PM. OTHER MEETINGS WHERE NO OTHER ACTIVITIES ARE UNDERTAKEN MAY BE HELD SUBJECT TO OBTAINING PRIOR WRITTEN CONSENT FROM THE RESPONSIBLE AUTHORITY (TOWONG SHIRE COUNCIL).**

WASTEWATER DISPOSAL SYSTEM

9. THE SEPTIC TANK SYSTEM ON SITE MUST BE EITHER BROUGHT TO A FUNCTIONING STANDARD OR REPLACED AS REQUIRED BY AND TO THE SATISFACTION OF THE ENVIRONMENTAL HEALTH OFFICER. A SEPTIC TANK PERMIT MUST BE PUT IN PLACE AND MODIFICATIONS OR UPGRADE TO THE EXISTING WASTEWATER DISPOSAL SYSTEM.
10. ALL SEPTIC SYSTEM INFRASTRUCTURE INCLUDING DISPOSAL LINES MUST BE FOUND AND MARKED AND SEPARATED FROM AREAS FOR VEHICLE PARKING. ADEQUATE MEASURES TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY MUST BE PUT IN PLACE TO ENSURE THAT VEHICLES ARE NOT PARKED ON SEPTIC EFFLUENT DISPOSAL LINES.

GOULBURN MURRAY WATER CONDITIONS

11. ALL WASTEWATER FROM THE PROPOSED MEN'S SHED MUST BE TREATED AND DISPOSED OF USING AN EPA APPROVED SYSTEM, INSTALLED, OPERATED AND MAINTAINED IN COMPLIANCE WITH THE RELEVANT EPA CODE OF PRACTICE AND CERTIFICATE OF APPROVAL, AND TO THE SATISFACTION OF COUNCIL'S ENVIRONMENTAL HEALTH DEPARTMENT.
12. THE WASTEWATER DISPOSAL AREA MUST BE KEPT FREE OF STOCK, BUILDINGS, DRIVEWAYS, GARDEN BEDS AND SERVICES;

PERMIT EXPIRY

13. THIS PERMIT WILL EXPIRE IF THE FOLLOWING CIRCUMSTANCES APPLY:
- THE APPROVED USE DOES NOT COMMENCE WITHIN 12 MONTHS FROM THE DATE OF THIS PERMIT.

CARRIED

**CR GADD
CR SCALES**

THAT STANDING ORDERS BE SUSPENDED THE TIME BEING 12.15 PM.

CARRIED

**CR GADD
CR SCALES**

THAT STANDING ORDERS BE RESUMED THE TIME BEING 12.53PM.

CARRIED

J. Heritage returned to the Council Chamber at 12.55pm.

14 Environmental sustainability

No report.

15 Economic and tourism development

15.1 Economic Development Report (05/01/0001-MED)

Disclosure of Interests (S.80C):

This report was prepared by Mrs Lauren Elvin, Manager Economic Development.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly report on Economic Development activities throughout the Shire.

Corryong Airport

The first joint meeting between DEPI and Towong Shire Council staff in relation to the movement of DEPI operations to the Corryong Airport was held in early August. While at this stage DEPI are planning on using drum fuel for their operations, it was agreed that provision should be made within the airside area which would allow a fuel retailer to set up on the aerodrome in the future. An allocation of space for temporary hangars has also been made, to allow the Airport to meet demand from small recreational operators.

Discussions on the Memorandum of Understanding with DEPI are continuing and will include provision of a licensing fee for use of the runway and associated taxiways to offset the additional wear and tear incurred through regular use.

Upper Murray 2030 Vision Plan

A full day planning session was held with Planisphere and the Steering Group on 28 July. The session was very productive, and the project is now moving forward, with an altered timeline. Full community consultation sessions will now be held in October. A project base has been set up within the Corryong Neighbourhood Centre in Corryong, and smaller stations have been set up at Khancoban Store and the Walwa Store to encourage people to fill in the community surveys. The first project bulletin is due to be sent out in the coming weeks. The Facebook page for the project is gaining traction and large signage, similar to that used for Tallangatta Tomorrow, will be rolled out throughout the Upper Murray to promote the project.

Mobile Communication Black Spot Working Group

On 14 August a session was held in Wangaratta with representatives of Telstra, Optus and Vodafone, the Department of Communications (Federal), Member for Indi, Cathy McGowan and Member for Murray Valley, Tim McCurdy. The session was useful in providing more detail about the \$100M Federal Government Black Spots Program, and the view of each telecommunications company on how they will be approaching their submissions to the program.

The ongoing issues of telecommunications during the Man from Snowy River Bush Festival were raised directly with Telstra and Optus. Both providers indicated that they are looking at options to resolve the issues, which may involve increasing the 4G (data) capacity of the network to relieve the pressure on 3G (voice) and to release some additional capacity.

Small Business Bus

The Small Business Bus has now visited both Tallangatta and Corryong during 2014, providing opportunities for small businesses in our area to access business mentoring and information on State Government business programs. Sixteen businesses in Corryong took up this opportunity and fourteen in Tallangatta.

Visitor Information Centre Accreditation

The decision has been taken to not continue with accreditation of the Visitor Information Centre in Corryong. The benefits of accreditation are limited, and a number of Councils taken the same approach or are in the process of doing so. The only change that visitors will observe as a result of this decision is that the signage at the Visitor Information Centre in Corryong will be updated to a white 'i', in place of the current yellow 'i'. There are no planned changes to the operations at the VIC, which will continue to provide high quality service and advice to visitors and businesses.

Benambra Corryong Road

VicRoads has now agreed to take over the entire length of the Benambra Corryong Road which means that lobbying for the sealing of the Road can now ramp up. Letters have been prepared for Member for Riverina, Michael McCormack, Member for Gippsland, Darren Chester and Senator Scott Ryan seeking meetings to discuss the sealing of the Road during the sitting week of 27 – 30 October 2014.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Nil.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

The Economic Development area is making good progress in relation to the Council Plan.

**CR GADD
CR WORTMANN**

THAT THE REPORT BE NOTED.

CARRIED

16 Councillor reports

16.1 Talgarno Primary School (Cr Scales)

Date of Meeting	12 August 2014
Details About the Activity	<p>On the 12th August I attended a meeting with Crs Fraser and Wortmann at the Talgarno Primary School along with concerned parents, teachers and the wider school community.</p> <p>The School community has concerns regarding the future of their school, with limited enrolments at this current stage.</p> <p>There are currently approximately twenty students going past the school and into Wodonga for education. Parents identified the need for before and after school care as a big factor in parents' decisions to educate their children in Wodonga.</p> <p>Crs Fraser and Wortmann discussed the Rural Living amendment which Council plans to introduce and the benefits that this will have for increased population in the area into the future, as well as the early childhood review to be conducted later this year.</p> <p>I discussed the obstacles that the Mitta Primary School has encountered in the past and the strategies that have been adopted to get around these obstacles.</p> <p>There was discussion on the great need for community connectedness and the positive marketing of small schools to the community.</p> <p>In all, the parents and community want to retain their school and see a good outlook into the future.</p>

Cr Wortmann extended thanks on behalf of the Talgarno Primary School Council to Cr Fraser and Cr Scales for attending this meeting.

16.2 MAV Emergency Management Committee (Cr Wortmann)

Date of Meeting	1 August 2014
Details About the Activity	<p>The main agenda item was an introduction to Emergency Management Victoria. Mr Craig Lapsley, the Emergency Management Commissioner, delivered the overview. The main points of his presentation are as follows:</p> <ul style="list-style-type: none">• Emergency Management Victoria is a sector-wide approach to emergency management in Victoria. It reflects a new way of thinking and operating together before, during and after emergencies at the core of emergency management in Victoria.• We have an opportunity to embrace what we hope will become best practice emergency management by working collaboratively together to produce a better outcome for the community at all levels.• The Commissioner's responsibility is leadership. The Commissioner must recognise the roles and responsibilities relating to control, coordination, consequences and recovery management.

16.3 Bethanga Action Group (Cr Wortmann)

Date of Meeting	12 August 2014
Details About the Activity	<p>This Group meets on a regular basis and have extended an invitation for Councillors to attend the meetings. Cr Joyce and myself are the nominated representatives.</p> <p>The main items that were raised at the meeting are as follows:</p> <ul style="list-style-type: none">- The Group is very happy with the town maintenance contractor.- The Bethanga Action Group (BAG) is in the process of pruning trees around the township to a height that will allow machines to mow under them. This includes trees outside the town maintenance contract where there are volunteers with machines who will mow in these areas.- It was also raised that pruning is required on Bridge Street near the Primary School.- There was a request for new sign at the Hall.- The BAG believe since the upgrade of Jobling Street to kerb and channel the town maintenance contract should be revised to include removal of leaves and silt from the gutter to stop the storm water pits blocking. I will raise this with the Director of Technical Services.

16.4 Roadsafe North East (Cr Scales)

Verbal report

16.5 Murray Arts (Cr Gadd)

Verbal report

**CR GADD
CR WORTMANN**

THAT STANDING ORDERS BE SUSPENDED THE TIME BEING 1.05PM.

CARRIED

**CR WORTMANN
CR SCALES**

THAT STANDING ORDERS BE RESUMED THE TIME BEING 1.18PM.

CARRIED

16.6 Talgarno Primary School (Cr Fraser)

Verbal report

16.7 Meeting with Victorian Shadow Ministers (Cr Fraser)

Verbal report

16.8 Meeting with North East Water Chair and CEO (Cr Fraser)

Verbal report

16.9 Meeting with Mayors, CEOs and Victorian Premier (Cr Fraser)

Verbal report

17 Committee minutes

17.1 Tallangatta Community Centre Advisory Committee (02/11/0001-EA)

The unconfirmed Minutes of the Tallangatta Community Centre Advisory Committee meeting held on 12 March 2014 are attached at Appendix 8.

**CR WORTMANN
CR SCALES**

**THAT THE UNCONFIRMED TALLANGATTA COMMUNITY CENTRE ADVISORY
COMMITTEE MINUTES BE NOTED.**

CARRIED

17.2 NevRwaste (Cr Joyce)

The unconfirmed Minutes from the NevRwaste Board Meeting held on 24 July 2014 are attached at Appendix 9.

**CR SCALES
CR GADD**

**THAT THE UNCONFIRMED MINUTES FROM THE NEVRWASTE BOARD MEETING
BE NOTED.**

CARRIED

17.3 RoadSafe North East Community Road Safety Council Inc. (Cr Scales)

The unconfirmed Minutes from the RoadSafe North East Community Road Safety Council Inc. meeting held on 17 July 2014 are attached at Appendix 10.

**CR SCALES
CR WORTMANN**

**THAT THE UNCONFIRMED MINUTES FROM THE ROADS SAFE NORTH EAST
COMMUNITY ROAD SAFETY COUNCIL INC. MEETING BE NOTED.**

CARRIED

18 Occupational health and safety

18.1 Occupational Health and Safety Report (06/04/0212-DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Wayne Carter, Occupational Health and Safety Officer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly progress report on Occupational Health and Safety (OHS) activities throughout the organisation. Council, like any employer, has a diverse range of responsibilities with respect to Occupational Health and Safety.

The following excerpt from the Victorian WorkCover Authority's website provides a summary of these responsibilities:

As an employer you must provide a safe and healthy workplace for your workers and contractors. This includes:

- *providing and maintaining safe plant (such as machinery and equipment) and safe systems of work (such as controlling entry to high risk areas, controlling work pace and frequency and providing systems to prevent falls from heights)*
- *implementing arrangements for the safe use, handling, storage and transport of chemicals (such as dangerous goods and other harmful materials)*
- *maintaining the workplace in a safe condition (such as ensuring fire exits are not blocked, emergency equipment is serviceable, and the worksite is generally tidy)*
- *providing workers and contractors with adequate facilities (such as clean toilets, cool and clean drinking water, and hygienic eating areas)*
- *making sure workers have adequate information, instruction, training and supervision to work in a safe and healthy manner.*

Elements to fulfil Council responsibilities can be categorised as strategic or operational. Strategic activities relate to the framework that guides Council's OHS processes. The operational activities relate more to the individual actions undertaken to identify, analyse or treat risks, for example, obtaining material safety data sheets, providing hearing protection, managing WorkCover claims, etc.

Current Progress:

Strategic OHS activity

Internal review of Safety Management System

In June 2014 a Self-Assessment / Audit Tool was developed and implemented to:

- Measure the effectiveness of Council's Safety Management System
- Identify areas for improvement.

An initial review of Council's Safety Management System using the tool has been conducted by the OHS Officer. Further review will be undertaken through the OHS Committee before recommendations are included in relevant action plans. A report will be provided to Council once the review is complete.

External review of Safety Management System (Echelon Audit)

In November/December 2011, Echelon Australia was commissioned by Towong Shire Council to conduct an audit on the Council's current level of alignment with Australian Standard 4801 (requirements for implementing a Occupational Health and Safety Management System) and the proposed Model Work Health and Safety Act (due for implementation in most States Jan 2012).

To address these recommendations there has been continued progress in the areas of:

- Contractor Management;
- Policy review and development
- Implementation of Procedures and checklists, and
- Risk Assessments on Council assets and higher-risk Plant.

The status of these actions at 11 August 2014 was:

Risk Rating	High	Medium	Low	Total
Total Recommendations –Original risk rating	11	55	27	93
Recommendations addressed / completed	11	40	24	75
% complete	100%	73%	89%	81%
Recommendations remaining to be addressed	0	15	3	18

Operational OHS activity

WorkCover incidents

WorkCover claims and Return to Work plans are being managed internally by the OHS Officer. There is currently one open claim which is being actively managed.

Safety Improvement Plans – Corryong and Tallangatta Pools

At the request of Council, Life Saving Victoria conducted Aquatic Facility Safety Assessments of the Corryong and Tallangatta Pools on 4 November 2011. The

Assessments identified gaps between the Royal Life Saving Society of Australia (RLSSA) Guidelines for Safe Pool Operation and our current pool operations.

A number of best practice actions were recommended to bring operations at both pools more in line with the RLSSA Guidelines.

At 11 August 2014, the following recommendations have been completed, with the remaining recommendations to be addressed in the off season:

	Corryong				Tallangatta			
	High	Medium	Low	Total	High	Medium	Low	Total
Total Recommendations with Revised Risk Rating	13	39	18	70	14	49	9	72
Recommendations addressed / completed	13	38	15	66	14	46	6	66
% complete	100%	97%	83%	94%	100%	94%	67%	92%
% complete (last report)	100%	97%	83%	94%	100%	94%	67%	92%
Recommendations remaining to be addressed	0	1	3	4 ¹	0	3	3	6 ¹

Notes:

1. Remaining items are to be addressed during the off-season.

A follow-up audit of both pools has been confirmed for December 2014 by Life Saving Victoria.

An application for funding has also been submitted to make improvements at the Corryong Pool.

Other OHS activity

Landfill and Transfer Station

A review of processes and work practices at the Landfill and Transfer Station has been undertaken over the past six months. An Operation Manual has been implemented at both sites which include copies of relevant Policies, and new or updated Procedures, Safe Work Method Statements and checklists.

Incident Response and Incident Analysis

The need for Incident Response and Incident Analysis is being addressed through a revised process being driven by the OHS Committee. In conjunction with targeted training, inspection of Safe Work Method Statements and increased worksite inspections, there should be a reduction in injuries in future.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Nil.

Risk Assessment:

All recommendations rated 'High' have been addressed. Lower risk recommendations are continuing to be addressed.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

It is the Officer's view that Council is continuing to make steady progress in addressing Council's OHS responsibilities, including actioning recommendations from the Echelon Audit Action Plan and the Safety Improvement Plans for both pools.

Further, it is the Officer's view that Council has made significant progress in working with Contractors by implementing a standard process and forms/checklists for inducting, monitoring and working closely with Contractors. This will have immediate and continued positive effects on safety at worksites.

**CR WORTMANN
CR SCALES**

THAT:

- 1. THE REPORT BE NOTED; AND**
- 2. COUNCIL REASSESS AN INCIDENT WHICH INVOLVED ONE OF OUR FLEET 18 MONTHS AGO IN LIGHT OF THE RECENT ACCIDENT NEAR BARANDUDA.**

CARRIED

18.2 OHS Committee (06/04/0212-DCCS)

The unconfirmed minutes of the meeting held on 7 August 2014 are attached at Appendix 11 for information.

**CR GADD
CR FRASER**

THE UNCONFIRMED MINUTES OF THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING HELD ON 7 AUGUST 2014 BE NOTED.

CARRIED

19 Council policies (10/01/0007-CEO)

The following policies were tabled for review at the 3 June and 1 July 2014 Council meetings and are presented at Appendix 12 for adoption.

- Employee Code Of Conduct and Conflict Of Interest Policy and Guidelines (DCCS)
- Access to Landfills Out of Hours (DTS)

**CR GADD
CR SCALES**

THAT THE FOLLOWING POLICIES AS AMENDED BE ADOPTED:

- **EMPLOYEE CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY AND GUIDELINES**
- **ACCESS TO LANDFILLS OUT OF HOURS**

CARRIED

The following policies are attached at Appendix 13 for review. Councillors are requested to provide feedback on the policies to the relevant Officer by 7 October 2014.

- Street Stall
- Computer and Mobile Device Use

20 Sealing of documents

No report.

21 Confidential

No confidential items.

There being no further business the meeting closed at 1.45pm

Cr Mary Fraser OAM 7 October 2014